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10 UNITED STATES BANKRUPTCY COURT
11 DISTRICT OF NEVADA

12 In re
13 META MATERIALS INC.,
14 Debtor.

Case No.: 24-50792-hlb
(Chapter 7)

**DECLARATION OF TRUSTEE LOVATO IN
SUPPORT OF EX PARTE APPLICATION
FOR SUPPLEMENTAL ORDER
CONFIRMING SALE OF CERTAIN ASSETS
AND INTELLECTUAL PROPERTY ASSETS
TO PANASONIC PURSUANT TO 11 U.S.C.
§ 363(b)**

Hearing Date: N/A
Hearing Time: N/A

19 Christina Lovato, under penalty of perjury of the laws of the United States, declares:

- 20
- 21 1. I am the duly appointed and acting chapter 7 Trustee for Meta Materials, Inc.
22 (“Meta Materials”), and I have personal knowledge of the matters stated herein.
- 23 2. I have filed an Ex Parte request for entry of a Supplemental Sale Order in
24 conjunction with that certain Order Approving Online Auction For Sale Of Personal Property;
25 Approving Division Of Proceeds Agreement With Landlord Pursuant To 11 U.S.C. § 503(b)
26 (“Auction Order”) at [ECF No. 1660].
- 27 3. On February 25, 2025, I filed a Motion For Order Approving Online Auction For
28 Sale Of Personal Property; Approving Division Of Proceeds Agreement With Landlord Pursuant

1 To 11 U.S.C. § 503(b) (“Sale Motion”). On February 28, 2025, the Court entered its Order
 2 Authorizing Employment Of Great American Global Partners, Inc. Auctioneer Of Personal
 3 Property Inventory And Payment Of Expenses At Conclusion Of Online Auction. [ECF No.
 4 **1608**].

5 4. In early March 2025, GA Global created its online presence announcing an auction
 6 date of April 3, 2025, for the sale of the Meta Materials personal property to be sold by auction.
 7 **Exhibit A** is the GA Global internet web page which provided the specifics for the Auction,
 8 including the date, time, list of personal property items included in the auction, bid procedures and
 9 other pertinent information relevant to the auction process.

10 5. **Exhibit A** describes Miscellaneous Equipment, Facilities Equipment, Office
 11 Equipment and five separate ‘lots’ of Intellectual Property owned by Meta Materials. With respect
 12 to the Intellectual Property, the GA Global disclosures provide that: “All Meta Materials Patents
 13 will be offered at Auction, Each Patent Lot will be sold by Business Unit, Buyers are Responsible
 14 for doing their own due diligence as to the Status of each Patent.”

15 6. At the Auction held on April 3, 2025, the items listed in the invoice attached as
 16 **Exhibit B** were purchased by Panasonic Industrial Devices Sales Company of America, Division
 17 of Panasonic Corporation of North America and the related patents listed on **Exhibit C** were
 18 purchased by Panasonic Industry Co., Ltd. (jointly, “Panasonic”).

19 7. Counsel for Panasonic has requested that the transfer documentation specifically
 20 provide language to the effect that the sale is ‘free and clear’. Because that language is not
 21 specifically included in the Sale Motion or in the Auction Order, I am requesting a Supplemental
 22 Order Confirming Sale Of Certain Assets And Intellectual Property Assets To Panasonic Pursuant
 23 To 11 U.S.C. § 363(B). As an additional precaution, my counsel has obtained formal UCC-1
 24 searches with the States of California, Delaware and Massachusetts, the three states in which the
 25 Debtor was incorporated, to determine whether there are any creditors asserting a security interest
 26 in any of the personal property being sold through the GA Global auction process. The searches
 27 did not identify any UCC-1 filings involving Meta Materials, current or lapsed.

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